

Application.

I. Applicability of this Code.

(A) All judges appointed pursuant to Neb. Const. art. V, § 21, acting judges of the Workers' Compensation Court, clerk magistrates, child support referees, and referees in civil and disciplinary cases shall comply with this Code except as provided below. In addition, candidates for appointment to judicial office shall comply with Rules 4.1 through 4.5.

(B) Parts II and III of this section identify those provisions that apply to part-time child support referees, part-time clerk magistrates, referees, and retired judges.

II. Part-time child support referees, part-time clerk magistrates, and referees.

(A) Part-time child support referees are not required to comply with Rules 3.4, 3.8, 3.9, 3.10, 3.11(B), 3.11(C)(2), or 3.11(D) and shall not practice law in the court upon which they serve, but may practice law in any other court in matters not related to any proceedings in which they have served as child support referees.

(B) Referees, appointed in civil or disciplinary proceedings, while acting as such, are not required to comply with Rules 3.4, 3.8, 3.9, 3.10, 3.11(B), 3.11(C)(2), 3.11(D), 3.14(C), or 3.15. Persons who have served as such a referee shall not act as lawyers in any proceeding in which they have served as referees or in any related proceedings.

(C) Part-time clerk magistrates are not required to comply with Rules 3.4, 3.8, 3.9, 3.10, 3.11(B), 3.11(C)(2), 3.11(D) and shall not practice law in the court in which they serve, but may practice law in any other court in matters not related to any proceedings in which they have served as a clerk magistrate.

III. Retired judges.

(A) A retired judge who does not file with the Nebraska Supreme Court a statement of consent to be recalled for temporary judicial service or who is ineligible for judicial service need not comply with this Code, except as specifically provided.

(B) A retired judge who consents to be recalled for temporary judicial service shall comply with this Code. However, such judge is not required to comply with Rules 3.4, 3.8, 3.9, or 3.12. A retired judge who is subject to recall shall not practice law and shall refrain from accepting assignment in any case in which the retired judge's financial or business dealings, investments, or other extrajudicial activities might be directly or indirectly affected.

(C) A retired judge shall not act as a lawyer in any proceeding in which the retired judge has served as a judge or in any other proceeding related thereto.

(D) A retired judge is a person who has voluntarily terminated full-time judicial service or has been retired for disability.

IV. Time for compliance.

A person to whom this Code becomes applicable shall comply immediately with all provisions of this Code except Rules 3.8, 3.11(A), and 3.11(B) and shall comply with these sections as soon as reasonably possible and shall do so in any event within the period of 1 year after

assuming office.

Application I.(B) and II.(B) amended December 22, 2010, effective January 1, 2011.
